

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

FREMONT REORGANIZING
CORPORATION,

Plaintiff,

v.

Case No. 2:10-cv-11923-DML-RSW
Hon. David M. Lawson

Magistrate Judge R. Steven Whalen

RONNIE DUKE, RYAN ZUNDEL, BILL
WELLS, WILLINEVAH RICHARDSON,
ANTHONY PETERS, BRYAN
STURGEON, AMERICAN NATIONWIDE
MORTGAGE COMPANY, APEX
FINANCIAL GROUP, INC., d/b/a AAPEX
MORTGAGE CORPORATION, CBB, INC.,
d/b/a BRETLIN HOME MORTGAGE,
FIRST ESCROW COMPANY, LLC,
HARDCORE MOTOR SPORTS, LLC,
HARDCORE RACING, INC., JS REALTY
LLC, LAWYERS ESCROW COMPANY,
LIBERTY TITLE AND ESCROW
SERVICES LLC, MOTORCITY
FINANCIAL SERVICES, NATIONS TITLE
OF OHIO, NORTH AMERICAN HOME
FUNDING, INC., OWNER REALTY.COM,
PREMIER MORTGAGE FUNDING, INC.,
QUOTELEARATE.COM, INC., REAL
ESTATE ONE, INC., SPECIALTY
HOLDINGS, INC., ANDREW AUTY,
TIMOTHY BAKER, MELISSA BASTIEN,
HUSSEIN ABDUL-MAJID BAZZI a/k/a
SAM BAZZI, ALI BAYDOUN, JAY
BAYDOUN a/k/a JALAL BOYDOUIN,
CHEA BENNETT, MORGAN BEVENSEE,
KEVIN BOS, LISA BOS, ROBERT
BRIERLEY, BYRON DEES, FRANK
GENDERNALIK, SUSAN
GENDERNALIK, RAY HALL, HUGH
BRADLEY JAMES, KIM KENT, DAVID
LARA, HAROLD LARSEN, DANNY LEY,

**DEFENDANT FIDELITY
NATIONAL TITLE
INSURANCE COMPANY'S
ANSWER TO PLAINTIFF'S
COMPLAINT**

PATRICK LLOYD, JOSE MARTINEZ,
JOHN MAYER, KATHY MCCUTCHEON
a/k/a KATHY SIZEMORE, APRIL MILLER,
COLLETTE MILLTELLO, JOSEPH
MILLTELLO, PAUL MORRIS,
ADELBERT MOSS, BRYAN MURPHY,
DANIELLE NAPPER, SUZANNE
NICHOLAS, DANIEL PANKO,
KATHLEEN POUNDS, LARRY RIDEOUT,
RICARDO RODRIGUEZ, FRANK RAY
SCHAFER, JR., JEFF SCHUCK, RACHEL
SEMAN, MICHAEL SHILAKES, JAMIE
SWEENEY, RONALD TALASKI, JR.,
MITCHELL TOMCSIK, NICOLE
TURCHECK, ROBERT TURCHECK,
LINDA WAHLER, DONNA WALBROOK,
PAUL WHITESIDE, JEREMY YALKIN,
KASSEM ZREIK, and FIDELITY
NATIONAL TITLE INSURANCE
COMPANY,

Defendants.

LAW OFFICES HERTZ SCHRAM PC

KALLAS & HENK PC
Michael C. O'Malley (P59108)
Attorneys for Plaintiff
43902 Woodward Avenue, Suite 200
Bloomfield Hills, MI 48302
(248) 335-5450, ext. 217
Email: [momalley@kallashenk.com](mailto: momalley@kallashenk.com)

LIPSON, NEILSON, COLE, SELTZER
& GARIN, P.C.
Thomas G. Costello (P42973)
Mark E. Phillips (P63063)
Attorneys for Defendant American
Nationwide Mortgage Company
3910 Telegraph Road, Suite 200
Bloomfield Hills, MI 48302
(248) 593-5000
Email: [tcostello@lipsonneilson.com](mailto: tcostello@lipsonneilson.com)

HERTZ SCHRAM PC
Ari M. Charlip (P57285)
Amy Sabbota Gottlieb (P67020)
Attorneys for Defendant Fidelity National Title
Insurance Company
1760 South Telegraph, Suite 300
Bloomfield Hills, MI 48302
(248) 335-5000
Email: [acharlip@hertzschram.com](mailto: acharlip@hertzschram.com)

RUTLEDGE, MANION, RABAUT, TERRY &
THOMAS, P.C.
Dora A. Wilkerson (P49088)
Joseph J. Wright (P41289)
Amy E. Schlotterer (P59813)
Attorneys for Defendants Owner Realty.Com and
Timothy Baker
333 West Fort Street, Suite 1600
Detroit, MI 48226
(313) 965-6100
Email: [dwilkerson@rmrtt.com](mailto: dwilkerson@rmrtt.com),
[jwright@rmrtt.com](mailto: jwright@rmrtt.com), [aschlotterer@rmrtt.com](mailto: aschlotterer@rmrtt.com)

WOOD, KULL,HERSCHFUS, OBEE &
KULL
John A. Obee (P29216)
Attorneys for Defendant Real Estate
One, Inc.
37000 Grand River Avenue, Suite 290
Farmington Hills, MI 48335
(248) 476-2000
Email: jao@woodkull.com

ALDRICH LEGAL SERVICES, PLLC
Brad B. Aldrich (P27220)
Benjamin J. Henry (P72222)
Attorneys for Defendants Andrew Auty and Paul
Morris
276 S. Union, Suite 1
Plymouth, MI 48170
(734) 404-3000
Email: bradaldrich@comcast.net

MUAWAD & MUAWAD, PC
Elias Muawad (P41632)
Attorneys for Defendant Nicole
Turcheck
36700 Woodward Avenue, Suite 209
Bloomfield Hills, MI 48304
(248) 594-4700
Email: Elias@muawadpc.com

**DEFENDANT FIDELITY NATIONAL TITLE INSURANCE COMPANY'S ANSWER
TO PLAINTIFF'S COMPLAINT**

NOW COMES Defendant Fidelity National Title Insurance Company (hereinafter referred to as "Defendant" or "Fidelity"), through its attorneys, HERTZ SCHRAM PC, and as its Answer to Plaintiff's Complaint states the following:

1. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 1 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.
2. Defendant Fidelity denies the allegations contained in Paragraph 2 of Plaintiff's Complaint for the reason that they are untrue.

THE PARTIES

Plaintiff

3. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 3 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Defendants Duke, Zundel, Wells, Richardson, Peters and Sturgeon

4. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 4 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

5. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 5 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

6. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 6 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

7. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 7 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

8. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 8 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

9. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 9 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Duke-Owned Entity Defendants

10. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 10 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

11. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 11 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

12. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 12 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Real Estate Agency Defendants

13. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 13 a - b of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

14. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 14 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Mortgage Brokerage Defendants

15. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 15 a - f of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Closing and/or Issuing Agent Defendants

16. Defendant Fidelity denies any involvement, connection or control with regard to any alleged fraudulent real estate purchase and sale transactions and neither admits nor denies the remaining allegations contained in Paragraph 16 a – e of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Individual Defendants

17. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 17 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

18. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 18 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

19. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 19 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

20. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 20 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

21. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 21 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

22. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 22 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

23. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 23 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

24. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 24 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

25. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 25 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

26. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 26 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

27. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 27 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

28. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 28 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

29. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 29 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

30. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 30 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

31. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 31 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

32. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 32 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

33. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 33 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

34. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 34 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

35. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 35 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

36. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 36 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

37. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 37 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

38. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 38 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

39. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 39 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

40. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 40 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

41. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 41 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

42. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 42 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

43. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 43 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

44. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 44 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

45. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 45 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

46. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 46 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

47. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 47 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

48. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 48 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

49. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 49 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

50. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 50 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

51. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 51 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

52. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 52 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

53. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 53 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

54. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 54 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

55. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 55 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

56. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 56 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

57. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 57 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

58. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 58 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

59. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 59 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

60. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 60 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

61. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 61 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

62. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 62 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

63. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 63 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

64. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 64 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

65. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 65 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

66. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 66 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Defendant Fidelity National Title Insurance Company

67. Defendant Fidelity admits only that it is a subsidiary of Fidelity National Financial, Inc. with its headquarters in Jacksonville, Florida and denies the remaining allegations contained in Paragraph 67 of Plaintiff's Complaint for the reason that they are untrue.

JURISDICTION AND VENUE

68. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 68 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

69. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 69 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

70. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 70 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

GENERAL FACTUAL ALLEGATIONS

Fremont

71. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 71 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

72. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 72 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

73. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 73 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Operation of the Mortgage Fraud Scheme

74. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 74 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

75. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 75 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Straw Loans

76. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 76 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

77. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 77 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

78. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 78 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

79. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 79 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

80. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 80 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Ghost Loans

81. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 81 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

82. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 82 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

83. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 83 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

84. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 84 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

85. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 85 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

86. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 86 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

87. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 87 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

88. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 88 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

89. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 89 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

90. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 90 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Roles of the Participants in the Scheme

91. Defendant Fidelity denies any participation and any involvement in the alleged scheme and neither admits nor denies the allegations contained in Paragraph 91 of Plaintiff's Complaint as they pertain to any other Defendant for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

92. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 92 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

93. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 93 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

94. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 94 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

95. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 95 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

96. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 96 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

97. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 97 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

98. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 98 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

99. Defendant Fidelity denies any connection to and involvement with the alleged scheme and in further response, neither admits nor denies the allegations contained in Paragraph 99 of Plaintiff's Complaint as they pertain to any other Defendant for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Loans Funded by Fremont

100. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 100 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

101. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 101 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

102. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 102 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

103. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 103 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

104. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 104 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

105. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 105 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

106. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 106 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

107. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 107 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

108. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 108 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Federal Authorities Uncover the Scheme

109. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 109 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

RICO PREDICATE ACT ALLEGATIONS

Mail and Wire Fraud

110. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 110 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

111. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 111 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

112. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 112 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

113. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 113 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

114. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 114 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

115. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 115 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

116. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 116 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

117. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 117 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

118. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 118 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Money Laundering

119. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 119 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

120. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 120 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

COUNT I

**CLAIMS AGAINST DEFENDANTS DUKE, ZUNDEL, WELLS,
RICHARDSON, PETERS, STURGEON, AMERICAN NATIONWIDE,
AAPEX, CBB, FIRST ESCROW, HARDCORE MOTORSPORTS,
HARDCORE RACING, JS REALTY, LAWYERS ESCROW,
LIBERTY TITLE, MOTOR CITY, NATIONS TITLE, NORTH
AMERICAN HOME, OWNER REALTY, PREMIER,
QUOTEMEARATE, REAL ESTATE ONE, SPECIALTY HOLDINGS,
AUTY, BAKER, BASTIEN, BAZZI, ALI BAYDOUN, JAY BAYDOUN,
BENNETT, BEVENSEE, KEVIN BOS, LISA BOS, BRIERLEY, DEES,
FRANK GENDERNALIK, SUSAN GENDERNALIK,
HALL JAMES, KENT, LARA, LARSEN, LEY LLOYD, MARTINEZ,
MAYER, MCCUTCHEON, MILLER, COLLETTE MILLITELLO,
JOSEPH MILLITELLO, MORRIS, MOSS, MURPHY,
NAPPER, NICHOLAS, PANKO, POUNDS, RIDEOUT, RODRIGUEZ,
SCHAFER, SCHUCK, SEMAN, SHILAKES, SWEENEY,
TALASKI, TOMCSIK, NICOLE TURCHECK, ROBERT TURCHECK,
WAHLER, WALBROOK, WHITESIDE, YALKIN AND ZREIK**

Violations of 18 U.S.C. § 1962(c)

**Fremont v. Defendants Duke, Zundel, Wells,
Richardson, Peters, Sturgeon, American Nationwide,
Aapex, CBB, First Escrow, Lawyers Escrow, Liberty Title,
MotorCity, Nations Title, North American Home, Owner Realty,
Premier, Quatemearate, Real Estate One,
Auty, Baker, Bastien, Bazzi, Ali Baydoun, Jay Baydoun,
Bennett, Bevensee, Kevin Bos, Lisa Bos, Brierley, Dees,
Frank Gendernalik, Susan Gendernalik,
Hall, James, Kent, Lara, Larsen, Ley, Lloyd, Martinez,
Mayer, McCutcheon, Miller, Collette Millitello,
Joseph Millitello, Morris, Moss, Murphy,
Napper, Nicholas, Panko, Pounds, Rideout, Rodriguez,
Schafer, Schuck, Seman, Shilakes, Sweeney,
Talaksi, Tomesik, Nicole Turcheck, Robert Turcheck,
Wahler, Walbrook, Whiteside, Yalkin, and Zreik**

121. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

122. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 122 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

123. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 123 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

124. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 124 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

125. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 125 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

126. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 126 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

127. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 127 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

128. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 128 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

129. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 129 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

130. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 130 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

131. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 31 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

132. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 132 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

133. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 133 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

134. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 134 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

135. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 135 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

136. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 136 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

137. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 137 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

138. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 138 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

139. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 139 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

140. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 140 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

141. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 141 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

142. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 142 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

143. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 143 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

144. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 144 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

145. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 145 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

146. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 146 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

147. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 147 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

148. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 148 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

149. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 149 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

150. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 150 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

151. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 151 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

152. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 152 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

153. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 153 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

154. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 154 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

155. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 155 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

156. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 156 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

157. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 157 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

158. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 158 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

159. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 159 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

160. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 160 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

161. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 161 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

162. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 162 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

163. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 163 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

164. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 164 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

165. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 165 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

166. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 166 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

167. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 167 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

168. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 168 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

169. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 169 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

170. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 170 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

171. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 171 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

172. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 172 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

173. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 173 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

174. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 174 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

175. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 175 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

176. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 176 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

177. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 177 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

178. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 178 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

179. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 179 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

180. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 180 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

181. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 181 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

182. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 182 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

183. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 183 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

184. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 184 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

185. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 185 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

186. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 186 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

187. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 187 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

188. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 188 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

189. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 189 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

190. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 190 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

191. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 191 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

192. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 192 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

193. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 193 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

194. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 194 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

195. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 195 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

196. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 196 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

197. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 197 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

198. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 198 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

199. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 199 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

200. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 200 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Violations of 18 U.S.C. § 1962(c)

**Fremont v. Defendants Duke, Zundel, Wells,
Richardson, Peters, Sturgeon, Aapex, American Nationwide,
CBB, First Escrow, Hardcore Motorsports,
Hardcore Racing, JS Realty, Lawyers Escrow, Liberty Title,
MotorCity, Nations Title, North American Home, Owner Realty,
Premier, Quotemearate, Real Estate One,
Auty, Baker, Bastien, Bazzi, Ali Baydoun, Jay Baydoun,
Bennett, Bevensee, Kevin Bos, Lisa BVos, Brierley, Dees,
Frank Gendernalik, Susan Gendernalik,
Hall, James, Kent, Lara, Larsen Ley, Lloyd, Martinez,
Mayer, McCutcheon, Miller, Collette Millitello,
Joseph Millitello, Morris, Moss, Murphy,
Napper, Nicholas, Panko, Pounds, Rideout, Rodriguez,
Schafer, Schuck, Seman, Shilakes, Sweeney,**

**Talaksi, Tomesik, Nicole Turcheck, Robert Turcheck,
Wahler, Walbrook, Whiteside, Yalkin, and Zreik**

201. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

202. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 202 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

203. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 203 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

204. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 204 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

205. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 205 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

206. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 206 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

207. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 207 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

208. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 208 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

209. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 209 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

210. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 210 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

211. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 211 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Violations of 18 U.S.C. § 1962(c)

**Fremont v. Defendants Duke, Hardcore Racing,
Hardcore Motorsports, Wells and Richardson**

212. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

213. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 213 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

214. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 214 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

215. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 215 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

216. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 216 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

217. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 217 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

218. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 218 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

219. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 219 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

220. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 220 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Common Law Fraud

**Fremont v. Defendants Duke, Zundel, Wells,
Richardson, Peters, Sturgeon, First Escrow, Hardcore
Motorsports, Hardcore Racing, JS Realty, Lawyers Escrow,
Liberty Title, MotorCity, Nations Title, Specialty Holdings,
Auty, Baker, Bastien, Bazzi, Ali Baydoun, Jay Baydoun,
Bennett, Bevensee, Kevin Bos, Lisa Bos, Brierley, Dees,
Frank Gendernalik, Susan Gendernalik,
Hall, James, Kent, Lara, Larsen, Ley, Lloyd, Martinez,**

**Mayer, McCutcheon, Miller, Collette Millitello,
Joseph Millitello, Morris, Moss, Murphy,
Napper, Nicholas, Panko, Pounds, Rideout, Rodriguez,
Schafer, Schuck, Seman, Shilakes, Sweeney,
Talaksi, Tomesik, Nichole Turcheck, Robert Turcheck,
Wahler, Walbrook, Whiteside, Yalkin, and Zreik**

221. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

222. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 222 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

223. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 223 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Civil Conspiracy

**Fremont v. Defendants Duke, Zundel, Wells,
Richardson, Peters, Sturgeon, Aapex, American Nationwide,
CBB, First Escrow, Hardcore Motorsports,
Hardcore Racing, JS Realty, Lawyers Escrow, Liberty Title,
MotorCity, Nations Title, North American Home, Owner Realty,
Premier, Quotemearate, Real Estate One, Specialty Holdings,
Auty, Baker, Bastien, Bazzi, Ali Baydoun, Jay Baydoun,
Bennett, Bevensee, Kevin Bos, Lisa Bos, Brierley, Dees,
Frank Gendernalik, Susan Gendernalik,
Hall, James, Kent, Lara, Larsen, Ley, Lloyd, Martinez,
Mayer, McCutcheon, Miller, Collette Millitello,
Joseph Millitello, Morris, Moss, Murphy,
Napper, Nicholas, Panko, Pounds, Rideout, Rodriguez,
Schafer, Schuck, Seman, Shilakes, Sweeney,
Talaksi, Tomesik, Nicole Turcheck, Robert Turcheck,
Wahler, Walbrook, Whiteside, Yalkin, and Zreik**

224. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

225. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 225 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

226. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 226 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Aiding and Abetting Fraud

**Fremont v. Defendants Zundel, Wells,
Richardson, Peters, Sturgeon, Aapex, American Nationwide,
CBB, First Escrow, Hardcore Motorsports, Hardcore
Racing, JS Realty, Lawyers Escrow, Liberty Title,
MotorCity, Nations Title, North American Home, Owner Realty,
Premier, Quotemearate, Real Estate One, Specialty Holdings,
Auty, Baker, Bastien, Bazzi, Ali Baydoun, Jay Baydoun,
Bennett, Bevensee, Kevin Bos, Lisa Bos, Brierley, Dees,
Frank Gendernalik, Susan Gendernalik,
Hall, James, Kent, Lara, Larsen, Ley, Lloyd, Martinez,
Mayer, McCutcheon, Miller, Collette Millitello,
Joseph Millitello, Morris, Moss, Murphy,
Napper, Nicholas, Pando, Pounds, Rideout, Rodriguez,
Schafer, Schuck, Seman, Shilakes, Sweeney,
Talaksi, Tamesik, Nicole Turcheck, Robert Turcheck,
Wahler, Walbrook, Whiteside, Yalkin, and Zreik**

227. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

228. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 228 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

229. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 229 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

230. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 230 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

COUNT II

Additional Claim Against Duke, Richardson, and Wells

Statutory Conversion

231. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

232. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 232 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

233. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 233 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

COUNT III

Additional Claim Against Hardcore Racing and Hardcore Motorsports

Statutory Conversion

234. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

235. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 235 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

236. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 236 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

COUNT IV

Additional Claims Against Aapex

237. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

238. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 238 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

239. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 239 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

240. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 240 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

241. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 241 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

242. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 242 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

243. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 243 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Breach of Contract

Fremont v. Aapex

244. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

245. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 245 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

246. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 246 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Common Law Fraud

Fremont v. Aapex

247. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

248. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 248 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

249. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 249 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

250. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 250 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligence

Fremont v. Aapex

251. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

252. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 252 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

253. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 253 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

254. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 254 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

255. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 255 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligent Hiring/Retention

Fremont v. Aapex

256. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

257. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 257 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

258. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 258 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

259. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 259 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

260. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 260 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

COUNT V

Additional Claims Against American Nationwide

261. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

262. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 262 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

263. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 263 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

264. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 264 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

265. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 265 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

266. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 266 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Breach of Contract

Fremont v. American Nationwide

267. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

268. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 268 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

269. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 269 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Common Law Fraud

Fremont v. American Nationwide

270. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

271. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 271 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

272. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 272 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

273. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 273 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

NEGLIGENCE

Fremont v. American Nationwide

274. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

275. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 275 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

276. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 276 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

277. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 277 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

278. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 278 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligent Hiring/Retention

Fremont v. American Nationwide

279. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

280. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 280 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

281. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 281 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

282. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 282 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

283. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 283 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

COUNT VI

Additional Claims Against CBB

284. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

285. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 285 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

286. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 286 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

287. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 287 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

288. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 288 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

289. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 289 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

290. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 290 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Breach of Contract

Fremont v. CBB

291. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

292. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 292 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

293. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 293 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Common Law Fraud

Fremont v. CBB

294. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

295. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 295 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

296. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 296 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

297. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 297 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligence

Fremont v. CBB

298. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

299. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 299 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

300. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 300 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

301. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 301 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

302. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 302 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligent Hiring/Retention

Fremont v. CBB

303. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

304. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 304 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

305. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 305 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

306. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 306 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

307. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 307 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

COUNT VII

Additional Claims Against North American

308. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

309. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 309 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

310. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 310 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

311. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 311 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

312. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 312 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

313. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 313 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

314. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 314 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Breach of Contract

Fremont v. North American

315. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

316. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 316 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

317. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 317 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Common Law Fraud

Fremont v. North American

318. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

319. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 319 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

320. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 320 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

321. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 321 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligence

Fremont v. North American

322. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

323. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 323 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

324. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 324 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

325. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 325 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

326. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 326 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligent Hiring/Retention

Fremont v. North American

327. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

328. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 328 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

329. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 329 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

330. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 330 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

331. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 331 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

COUNT VIII

Additional Claims Against Premier

332. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

333. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 333 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

334. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 334 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

335. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 335 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

336. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 336 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

337. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 337 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

338. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 338 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Breach of Contract

Fremont v. Premier

339. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

340. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 340 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

341. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 341 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Common Law Fraud

Fremont v. Premier

342. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

343. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 343 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

344. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 344 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

345. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 345 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligence

Fremont v. Premier

346. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

347. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 347 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

348. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 348 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

349. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 349 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

350. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 350 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligent Hiring/Retention

Fremont v. Premier

351. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

352. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 352 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

353. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 353 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

354. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 354 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

355. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 355 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

COUNT IX

Additional Claims Against Quotemearate

356. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

357. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 357 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

358. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 358 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

359. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 359 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

360. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 360 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

361. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 361 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

362. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 362 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Breach of Contract

Fremont v. Quotemearate

363. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

364. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 364 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

365. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 365 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Common Law Fraud

Fremont v. Quotemearate

366. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

367. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 367 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

368. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 368 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

369. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 369 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligence

Fremont v. Quotemearate

370. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

371. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 371 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

372. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 372 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

373. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 373 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

374. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 374 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

Negligent Hiring/Retention

Fremont v. Quotemearate

375. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

376. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 376 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

377. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 377 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

378. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 378 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

379. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 379 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Court deny the relief requested by Plaintiff and enter an order dismissing Plaintiff's Complaint and awarding Defendant Fidelity attorney fees and costs together with all other relief that is equitable and just under the circumstances.

LAW OFFICES HERTZ SCHRAM PC

COUNT X

Claims Against Fidelity

380. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

381. Defendant Fidelity admits only that it is a real estate service company that provides title insurance and other real estate related products and services and neither admits nor denies the remaining allegations contained in Paragraph 381 of Plaintiff's Complaint.

382. Defendant Fidelity neither admits nor denies the reasons mortgage lenders buy title insurance policies or what occurs in a “typical” residential real estate transaction for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations in Paragraph 382 of Plaintiff’s Complaint.

383. With regard to the allegations of Paragraph 383 of Plaintiff’s Complaint, Defendant Fidelity neither admits nor denies what a title officer “typically” does upon receiving an order for title insurance. In further response, Defendant Fidelity states that a preliminary report only shows the record title as it presently exists and is only an offer to provide insurance while a commitment shows the condition of title in the way the company is willing to issue it.

384. Defendant Fidelity neither admits nor denies what a mortgage lender does prior to the close of a loan transaction or what any specific mortgage lenders closing instructions provide and neither admit nor deny the remaining allegations contained in Paragraph 384 of Plaintiff’s Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

385. With regard to the issuance of a closing protection letter, Defendant Fidelity admits only that a closing protection letter may be issued under specific circumstances and that a closing protection letter only applies to losses incurred under certain conditions and as a result of certain actions or inactions. In further response, a closing protection letter is limited to and defined by the provisions of the letter with respect to any loss.

386. Defendant Fidelity admits only that provided certain conditions are met, a title insurance policy may be issued upon receipt of payment and that a loan policy of title insurance is a policy of indemnification for certain losses subject to exclusions, exceptions and

conditions set forth in a policy. Defendant Fidelity denies the remaining allegations contained in Paragraph 386 of Plaintiff's Complaint for the reason that they are untrue.

387. Defendant Fidelity neither admits nor denies what title commitments, CPLs and/or Lender's Policies were issued from 2004-2007 and neither admits nor denies the remaining allegations contained in Paragraph 387 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

388. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 388 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

389. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 389 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

390. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 390 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

391. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 391 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations.

392. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 392 (a)-(c) of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations. In further response and with regard to Paragraph 392 (d)-(o), Defendant Fidelity denies that it issued a title commitment, CPL and/or Lender's Policy as Nation's Title was terminated as an agent for Fidelity on May 11, 2006.

393. Defendant Fidelity admits that it terminated Nations Title's agency as of May 11, 2006 and denies that Fremont was not advised of the termination of Nations Title. In further response, Fidelity states that Fremont was expressly advised and provided with notice that Nations Title was no longer an authorized Issuing Agent/Approved Attorney of Fidelity.

394. Defendant Fidelity denies the allegations contained in Paragraph 394 of Plaintiff's Complaint for the reason that they are untrue. In further response Fidelity states that took all necessary steps to provide express notice of Nations Title's termination and that any alleged loss suffered by Fremont is due to its own failure and oversight.

Breach of Contract Under the CPL's

Fremont v. Fidelity

395. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

396. Defendant Fidelity denies that it issued "a CPL" with regard to the transaction identified in Paragraph 392 (c)-(o), and denies that every CPL Plaintiff may be referring to in Paragraph 396 of the Complaint contains the same language. In further response, Defendant Fidelity is without sufficient information or knowledge to determine what CPL Plaintiff references in Paragraph 396 of the Complaint and Defendant Fidelity can neither admit nor deny the remaining allegations contained therein.

397. With regard to the transaction identified in Paragraph 392 (c), Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 397 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations. With regard to the transactions identified in Paragraph 392 (d)-(o), Defendant Fidelity denies the allegations contained in Paragraph 397 of Plaintiff's Complaint

for the reason that they are not true as Nations Title was no longer an issuing agent of Fidelity at that time.

398. Defendant Fidelity denies the allegations contained in Paragraph 398 of Plaintiff's Complaint for the reason that they are untrue. In further response, Defendant Fidelity states that Fremont was expressly advised and provided with notice that Nations Title was no longer an authorized Issuing Agent/Approved Attorney of Fidelity.

399. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 399 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations and Nations Title was no longer an issuing agent for Fidelity as of May 11, 2006.

400. Defendant Fidelity neither admits nor denies the allegations contained in Paragraph 400 of Plaintiff's Complaint for the reason that it lacks sufficient information or knowledge to form a belief as to the allegations and Nations Title was no longer an issuing agent for Fidelity as of May 11, 2006.

401. Defendant Fidelity admits only that Fremont has submitted information to Fidelity in connection with transactions identified in paragraph 392 (c)-(o) but denies the remaining allegations contained in Paragraph 401 of Plaintiff's Complaint for the reason that they are untrue. In further response, Fidelity states that it terminated Nations Title on May 11, 2006, expressly notified Fremont that Nations Title was no longer an authorized issuing agent for Fidelity, and any CPL was canceled, rescinded, revoked and of no further force and effect.

402. Defendant Fidelity can neither admit nor deny the allegations with regard to "the CPLs" as it lacks sufficient information or knowledge to determine what CPL Fremont is

referring to. In further response, Defendant Fidelity states that there is no coverage and Fidelity has no duty with regard to any CPL issued by a terminated and unauthorized agent.

403. Defendant Fidelity denies the allegations contained in Paragraph 403 of Plaintiff's Complaint for the reason that they are untrue.

Common Law Fraud

Fremont v. Fidelity

404. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

405. Defendant Fidelity denies the allegations contained in Paragraph 405 of Plaintiff's Complaint for the reason that they are untrue and states that Nations Title was not Fidelity's issue agent for the transactions identified in paragraph 392(d)-(o) of Plaintiff's Complaint.

406. Defendant Fidelity denies the allegations contained in Paragraph 406 of Plaintiff's Complaint for the reason that they are untrue.

407. Defendant Fidelity denies the allegations contained in Paragraph 407 of Plaintiff's Complaint for the reason that they are untrue.

Violation of the Michigan Consumer Protection Act

Fremont v. Fidelity

408. Defendant Fidelity repeats and incorporates the responses contained in the preceding paragraphs as though fully set forth herein.

409. No response required as Plaintiff states a conclusion of law.

410. No response required as Plaintiff states a conclusion of law.

411. Defendant Fidelity denies the allegations contained in Paragraph 411 of Plaintiff's Complaint for the reason that they are untrue.

412. Defendant Fidelity denies the allegations contained in Paragraph 412 of Plaintiff's Complaint for the reason that they are untrue.

REQUEST FOR RELIEF

WHEREFORE, Defendant Fidelity National Title Insurance Company respectfully requests that this Honorable Court grant the following relief:

- A. Deny the relief requested by Plaintiff;
- B. Grant Defendant Fidelity its reasonable attorney fees and costs incurred in having to defend this action; and
- C. Grant such other and further relief this Court deems just and equitable under the circumstances.

LAW OFFICES HERTZ SCHRAM PC

Respectfully Submitted,

HERTZ SCHRAM PC

/s/ Ari M. Charlip

Ari M. Charlip (P57285)
Email: acharlip@hertzschram.com
Amy Sabbota Gottlieb (P67020)
Email: agottlieb@hertzschram.com
Attorneys for Defendant Fidelity National
Title Insurance Company
1760 Telegraph Rd., Suite 300
Bloomfield Hills, MI 48071
(248) 335-5000

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